

			DQOS	Deploying QOS in the Enterprise (#9E0-601 DQOS)			
			CIPT	Cisco IP Telephony	4/15/2002		4/15/2002
			CQS-WLDS	CQS-Cisco Wireless LAN Design Specialist	3/17/2003	12/15/2006	12/15/2004
			IP-TRBL5	IP Telephony Troubleshooting (#642-425)			
Walter	Taylor	CSCO11107397	CQS-AIPCSS	CQS - Cisco Advanced IP Communications Sales Specialist	10/1/2006	10/1/2009	10/1/2006
			CSE-3.0	Cisco Sales Expert 3.0 (#646-203)			
			CSE-3.0	Cisco Sales Expert 3.0	9/11/2006	9/11/2008	9/11/2006
			IPCAAM	Advanced IP Communications AM (#646-229)			
			LCSEXP	Cisco Lifecycle Services Express Exam (#646-391)			
FRANK	YARNELL	CSCO10385793	SVPN4	Cisco Secure VPN (#642-511 CSVPN)			
			CQS-CISS	Cisco Information Security Specialist	8/16/2007	8/16/2009	8/16/2007
			CQS-CFS	CQS-Cisco Firewall Specialist	8/16/2007	8/16/2009	8/16/2007
			4011REC	4011 Recognition	11/16/2001		8/16/2007
			SNPA	Securing Networks with PIX and ASA Exam (#642-522)			
			CQS-VPNS	CQS-Cisco VPN Specialist	9/21/2007	9/21/2009	9/21/2007
			CCNA	Cisco Certified Network Associate	11/16/2001	9/21/2010	9/21/2007
			SLSX-SMB	Cisco Sales Expert - SMB	6/29/2000		6/29/2000
			SND	Securing Cisco Network Devices Exam			
GARY	ZIMMERMAN	CSCO10147272	UNITY6	Unified Communication for SEs Exam (UCSE #642-104)			
			CSE-U	Unity	9/12/2003		9/12/2003
			MCSEMMW02	MCSE: Messaging on Microsoft Windows 2000	9/11/2005		9/11/2005
			UNITY3	Unity Engineer (#9E0-805 UNITY)	9/12/2003		9/12/2003
			SLSX-AVD	Selling AVVID Architecture (#SE0-239)	12/19/2001		12/19/2001
			CQS-CUSS	CQS- Cisco Unity Support Specialist	9/15/2006	9/15/2008	9/15/2006
			UNITY4	Unified Communication Systems Engineer(UCSE)1.x (#644-101)			

Information Transport Solutions Erate Funding - Alabama		
SPIN#: 143008119		
Year	Requested	Committed
2006	\$11,667,655.67	\$11,667,655.67
2005	\$5,373,377.74	\$4,667,475.51
2004	\$3,309,799.60	\$3,285,708.51
	\$20,350,833.01	\$19,620,839.69

Year	Applicant	Committed
2006	BESSEMER CITY SCHOOL DISTRICT	\$769,240.01
2006	BULLOCK COUNTY SCHOOL DISTRICT	\$408,311.46
2006	CHAMBERS COUNTY SCHOOL DIST	\$10,709.20
2006	CHOCTAW COUNTY ELEMENTARY SCHOOL	\$27,000.00
2006	CHOCTAW COUNTY HIGH SCHOOL	\$52,920.00
2006	CHOCTAW COUNTY SCHOOL DISTRICT	\$30,362.00
2006	DALLAS COUNTY SCHOOL DISTRICT	\$279,415.48
2006	DECATUR CITY SCHOOL DISTRICT	\$47,803.86
2006	DEPARTMENT OF YOUTH SERVICES SD 210	\$501,055.19
2006	ELMORE COUNTY SCHOOL DISTRICT	\$168,600.00
2006	FRANKLIN COUNTY SCHOOL DIST	\$24,131.48
2006	HOLLYWOOD ELEMENTARY SCHOOL	\$9,856.44
2006	HOUSTON COUNTY BOARD OF ED	\$13,605.12
2006	JACKSON COUNTY SCHOOL DISTRICT	\$101,409.67
2006	LANETT CITY SCHOOL DISTRICT	\$59,701.91
2006	LEE COUNTY SCHOOL DISTRICT	\$47,457.54

Year	Requested	Committed
2006	LOWNDES COUNTY SCHOOL DISTRICT	\$499,198.70
2006	MACON COUNTY SCHOOL DISTRICT	\$110,313.74
2006	MOBILE COUNTY SCHOOL DISTRICT	\$4,734,331.44
2006	MONTGOMERY COUNTY SCHOOL DIST	\$1,530,760.12
2006	MORGAN COUNTY SCHOOL DISTRICT	\$9,759.98
2006	PERRY COUNTY SCHOOL DISTRICT	\$25,191.00
2006	PIKE COUNTY SCHOOL DISTRICT	\$432,660.70
2006	SELMA CITY SCHOOLS	\$1,429,391.14
2006	SUMTER COUNTY SCHOOL DISTRICT	\$242,150.15
2006	TALLAPOOSA CO SCHOOL DISTRICT	\$20,736.00
2006	TALLASSEE CITY SCHOOL DISTRICT	\$43,076.40
2006	THOMASVILLE CITY SCHOOL DIST	\$8,855.00
Total Year 9 Erate Funded:		\$11,638,003.73

ITEM 21 ATTACHMENT							
Applicant: Montgomery Public School District			Attachment: YR11-DL-ITS				
BEN:			Application #				
			FRN #				
			Narrative Description: Distance Learning Equipment				
			Contract: ALJP2007 - Alabama StateK12 Joint Purchasing Agreement				
			VENDOR NAME: INFORMATION TRANSPORT SOLUTIONS, INC. SPIN# 143008119				
			470 # 387610000596350				
			Contract Start Date: 1/08/07				
			Contract End Date: 06/30/09				
ERATE ELIGIBLE BILL OF MATERIALS							
ENTER QUANTITY GATEKEEPER HERE		2		ALJP Discount Hardware		15%	
ENTER QUANTITY MOBILE CLASSROOM UNIT HERE		22		Discount for this Quote		27%	
				ALJP Discount Service		2%	
				Discount for this Quote		5%	
Description		Part Number	Retail Cost	ALJP Dscnt Price	Eligible %	Eligible Amount	Ineligible %
MediaPlace MXP 990 (512 kbps ISDN / 2 Mbps IP incl. NPP & MS)		5009603N	\$ 25,990	\$417,399.40	79%	\$329,745.53	21%
MediaPlace MXP 990 Domestic Customer Core Service		5009603NV31D	\$ 1,300.00	\$27,170.00	79%	\$21,464.30	21%
MediaPlace MXP 990 Domestic Installation & Training		5009603NV07D	\$ 1,299.00	\$27,149.10	79%	\$21,447.79	21%
TANDBERG Gatekeeper - Base Model		113740	\$ 9,500	\$13,870.00	100%	\$13,870.00	0%
Gatekeeper Domestic Customer Core Service		113740V31D	\$ 1,000.00	\$1,900.00	100%	\$1,900.00	0%
Gatekeeper Domestic Installation & Training		113740V07D	\$ 1,875.00	\$3,562.50	100%	\$3,562.50	0%
Currently NOT eRate Eligible pending appeal							
TANDBERG Border Controller - Base Model		114090	\$ 11,000	\$8,030.00	0%	\$0.00	100%
Border Controller Domestic Customer Core Service		114090V31D	\$ 1,200.00	\$1,140.00	0%	\$0.00	100%
Border Controller Domestic Installation & Training		114090V07D	\$ 2,100.00	\$1,995.00	0%	\$0.00	100%

Total ALJP2007 Cost	\$502,216.00
Total Erate Eligible - Pre School Matching	\$391,990.12
% Total Cost Eligible	78.05%
Total Erate Cost Ineligible - Customer Responsibility	\$110,225.89
% Total Erate Cost Ineligible	21.95%

School Erate Eligible Percentage	80%
SLD Application Amount	\$313,592.09
Customer Erate Matching Amount	\$78,398.02
Total Customer Amount - Includes Matching and Ineligible	\$188,623.91

ATTACHMENT 9b
(10 Pages)

FCC Appeal
Attachment 2-9b

App# 592679
FRN 1661255
(10 pages)

(Rejected State
Contract Quote)

Dean, Niketa

This quote was NOT accepted because it was received late/
after the time specified for quotes to be received (see request
for quote).

From: Dean, Niketa
Sent: Friday, January 04, 2008 2:55 PM
To: [REDACTED]
Subject: RE: Tandberg Equipment & Installation (Revised) ERATE Quote

I'm sorry that you had email problems. Unfortunately because your proposal was late, we are unable to accept as submitted.

Sincerely,

Niketa F. Dean
District Technology Coordinator
Montgomery Public Schools
Office of Educational Technology
515 S Union Street
Montgomery, AL 36104
(334) 269-3830 - Office
(334) 269-3900 - Fax

From: Chris Keller [mailto:Chris.Keller@wireone.com]
Sent: Wednesday, January 02, 2008 4:29 PM
To: Dean, Niketa
Cc: Rhonda Wingate
Subject: RE: Tandberg Equipment & Installation (Revised) ERATE Quote
Importance: High

Dear Niketa,

My email has been and it juts came back up. Please accept my proposal. Wire One Communications, Inc. appreciates the opportunity to present our response to Montgomery County Public School System's ERATE quotes. Wire One is well versed in the requirements of the ERATE program and our experience can assure you of a smooth process for implementation. I have attached an overview of Wire One's capabilities and certifications along with a price proposal that identifies ERATE eligibility.

Sincerely,

Chris A. Keller

Wire One Communications, Inc.

Sr. Territory Sales Manager

6396 Sunrise Drive

PO Box 1496

Pinson, Alabama 35126

205-683-0105 Office

205-568-8080 NEW Mobile

205-683-0106 Fax

800-654-8439 24 x 7 Helpdesk

chris.keller@wireone.com

www.wireone.com



From: Dean, Niketa [<mailto:Niketa.Dean@mps.k12.al.us>]

Sent: Wednesday, December 19, 2007 9:29 AM

To: info@its-networks.com; Chris Keller; jjohnson@isitn.com; djacobs@digitalconnections.com

Subject: Tandberg Equipment & Installation (Revised)

Importance: High

We are seeking quotes for Tandberg equipment/components, installation and training services and first year warranty to be purchased off of the Alabama Joint Purchasing Agreement (ALJP) 2007 state master contract for the purpose of obtaining distance learning equipment for our schools and to file for Erate funding in the 2008 Funding Year. If you are interested in providing a quote to Montgomery Public Schools and are able to provide a combined solution you will need to provide a quote/Item 21 for the following equipment or requirement (include installation, first year warranty, and training):

<u>Quantity</u>	<u>Description of Requirement or Model</u>
22	Mobile Classroom Unit - Mediaplace 990 MXP with Natural Presenter Package & Multisite Option, & 2 Mbps Option, or comparable solution

2	GateKeeper - Ability to assign E164 alias'; Bandwidth management; Scalability or expansion.
1	Border Controller – Ability to apply seamless firewall traversal; Bandwidth management; Neighboring capabilities; Ease of use and management.

Also, quote the percentage (%) off of the list price identified in the ALJP contract for any equipment not listed, in the event additional requirements are identified.

All quotes must be provided in Item 21 format, ready for E-rate filing, must clearly identify any equipment of portions ineligible for E-rate funding, and must be submitted via email to arrive not later 4:00 p.m. on **January 2, 2008**. Quotes/Item 21s received after this time or that are not ready for E-rate filing will not be accepted. All quotes must remain valid until a decision on the E-rate funding request is rendered or the vendor is informed we do not intend to proceed with the purchase.

After **January 2, 2008**, Montgomery Public Schools will select a single vendor that is able to best meet the district's needs and able to provide a combined solution from the ALJP 2007 contract for the requested Tandberg equipment/components, first year warranty, and installation and training services. Evaluation criteria that may be used to select a vendor are: Price (the primary factor), technical expertise, experience, management plan, ability to meet our requirements, etc.

Please contact me in writing, via email, if you have any questions.

Thank you,

Niketa F. Dean
District Technology Coordinator
Montgomery Public Schools
Montgomery, AL

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Montgomery Public Schools

Wirte One Communications, Inc.
SPIN#143009071**Internal Connections**

Product Name	Part No.	E-rate Eligibility	Wire One Price	Total Price	Eligible	Ineligible	Applicant Discount	SLD Portion	Applicant's Portion
Tandberg- Mediaplace MXP Series- Video Unit MXP 990-512	500960N	100%	\$ 18,397.75	\$ 404,750.50	\$ 404,750.50	\$ -	80%	\$ 323,800.40	\$ 80,950.10
Tandberg- Gatekeeper Series -Gatekeeper 125 Reg, 25 Calls, 5 Traversal Calls	113740	100%	\$ 7,125.00	\$ 14,250.00	\$ 14,250.00	\$ -	80%	\$ 11,400.00	\$ 2,850.00
								\$ 335,200.40	\$ 83,800.10

Basic Maintenance

Product Name	Part No.	E-rate Eligibility	Wire One Price	Total Price	Eligible	Ineligible	Applicant Discount	SLD Portion	Applicant's Portion
Wire One- On-Site Installation of Tandberg 990	SVC-OI-T770/880/990	100%	\$ 1,299.00	\$ 28,578.00	\$ 28,578.00	\$ -	80%	\$ 22,862.40	\$ 5,715.60
Wire One Support One Care Remote for Tandberg 990- 1-year	SVC-RM-1Y-T770/880/990	100%	\$ 750.00	\$ 16,500.00	\$ 16,500.00	\$ -	80%	\$ 13,200.00	\$ 3,300.00
Wire One Support One Care Remote for Tandberg Border Controller Software, 1 Year	SVC-RM-1Y-TBC	100%	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ -	80%	\$ 960.00	\$ 240.00
Wire One On-Site Installation of Tandberg Border Controller Software Series	SVC-OI-TBC	100%	\$ 2,100.00	\$ 2,100.00	\$ 2,100.00	\$ -	80%	\$ 1,680.00	\$ 420.00
Wire one- On-Site Installation of Tandberg Gatekeeper Series 25	SVC-OI-TGKP	100%	\$ 1,875.00	\$ 1,875.00	\$ 1,875.00	\$ -	80%	\$ 1,500.00	\$ 375.00
Wire One Support One Care On-Site Tandberg Gatekeeper Series, 1-year	SVC-OM-1Y-TGKP	100%	\$ 1,600.00	\$ 3,200.00	\$ 3,200.00	\$ -	80%	\$ 2,560.00	\$ 640.00
								\$ 42,762.40	\$ 10,690.60

Software

Product Name	Part No.	E-rate Eligibility	Wire One Price	Total Price	Eligible	Ineligible	Applicant Discount	SLD Portion	Applicant's Portion
Tandberg- Border Controller Software Series 25 Registrations & 5 Traversal Calls	114090	100%	\$ 8,250.00	\$ 8,250.00	\$ 8,250.00	\$ -	80%	\$ 6,600.00	\$ 1,650.00

Bill SLD:	\$ 384,562.80
Bill Customer:	\$ 96,140.70

Wire One Communications Overview

Wire One Communications, Inc. (Wire One) is the global leader in full service conferencing solutions. We deliver easy-to-use, reliable and high quality conferencing equipment and services enabling our customers, like Montgomery Public Schools, to effectively communicate with staff, colleagues, business partners, and customers using any combination of collaboration technologies. The backbone of our service is comprised of videoconferencing and networking products from leading manufacturers such as Polycom (Accord / PictureTel), TANDBERG, Cisco, RADVISION, Sony, VCON, and VTEL. We also provide a comprehensive suite of video, data, and network services including design, project management, installation, on-site and remote technical assistance, training, engineering, and maintenance.

Our approach to conferencing is one that goes beyond a traditional "box sale." We understand that the conferencing needs of each of our customers are unique. Our solutions take into consideration your specific needs and are then tailored to meet those needs. Wire One will consult with Montgomery Public Schools to understand the structure of your network and your specific conferencing goals, including the necessary conferencing vehicle (i.e., web, video, audio, etc.). From there, we will provide and install the necessary equipment while training your users on how to properly use and schedule the solution. All the while, Montgomery Public Schools will have access to a dedicated staff that works "behind the scenes" to provide service and support of the hardware and network, as well as to assist with scheduling and conference execution. Wire One views this process as a complete lifecycle with distinct phases. This is described in more detail below.

Wire One History

Wire One has been providing videoconferencing solutions for over 12 years. It was founded in 2000 as the result of a merger between All Communications, Inc. and ViewTech, Inc. Both companies have a rich history in the videoconferencing industry; ViewTech was formed in 1992. All Communications was formed in 1991. In September 2003, Wire One became a portfolio company of the Gores Technology Group. Today our installed customer base includes more than 3,000 companies around the globe with approximately 22,000 videoconferencing systems in the commercial, federal and state government, medical and education marketplaces. V-SPAN, founded in 1995, was the premiere independent unified collaboration services company. The company's core competency was in the delivery of successful meetings, regardless of source, media or content. V-SPAN was acquired in November 2004 by Gores Technology Group. Upon acquisition, Gores merged V-SPAN with Wire One to form Wire One Communications, Inc.

Wire One is the only partner who can work with you throughout your entire video lifecycle from design and implementation through the management of your infrastructure and delivery of conference services. With more than 20 years of video conferencing experience, no other vendor has a complete service organization that is singularly trained to be experts

on only video conferencing related technologies and networks. Video conferencing is our CORE business.

Consider the following:

- 40,000+ video conferences produced annually
- More than 400 MCU's and 25,000 endpoints in service
- Greater than 95% Customer Satisfaction Rate
- Improved video conferencing success rates from 70% to better than 95%

Wire One partners with leaders in the conferencing space such as Cisco, Codian, Onstream, Polycom, RADVISION, Sony, STARBAK, TANDBERG, VCON and WebEx. These diverse partnerships allow us to make recommendations based on each of our customers' specific requirements without bias to any single partner. We also base our recommendation on experience we have gained through the delivery of service and solutions to our existing customers. Currently, Wire One serves more than 7,000 companies, including education, healthcare, state, local and federal government organizations, as well as many of the Fortune 500 as outlined below:

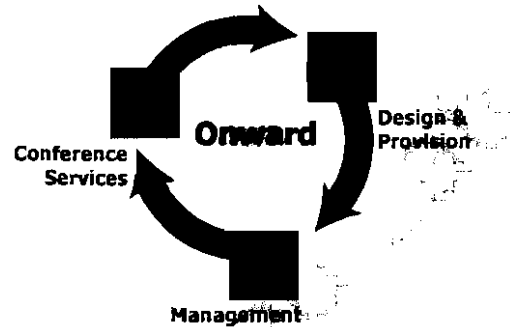
- 40 of the top Fortune 100 accounts
- 4 of the top 5 banking institutions
- 3 of the top 4 home builders
- 4 of the top 5 Media moguls
- 7 of the top 10 Pharmas
- 8 of the top 10 telcos
- 40% of the world's top retailers
- 40% of the world's top computer manufacturers
- 40% of the world's consumer goods giants
- Half of the world's largest financial services companies
- Half of the world's largest Insurance companies
- One-Third of the top manufacturing companies

Wire One's mission is to be the recognized leader in video conferencing by providing our customers with integrated services and solutions that are easy to use and deliver superior value.

Wire One Video Conferencing

Wire One views the video conferencing lifecycle in three phases as outlined in Figure 1.

Figure 1:
Video Conferencing Lifecycle



Design & Provision

Wire One takes a consultative approach by working proactively with Montgomery Public Schools to fully understand your video conferencing requirements, resources and business challenges and building complete solutions, not taking a "dump equipment and run" approach. We offer a range of services to address the wide array of conferencing users from assisting new users with their first video conferencing experience to conferring with experienced video conferencing users on the evaluation, optimization and improvement of their current solution.

The following are features of the Design & Provision stage of the lifecycle:

- Consulting Services
- Hardware/Network Selection Services
- Education
- Installation

Management

Procuring and installing a hardware solution is only the first step in a complete conferencing solution. Ongoing management support is critical for the continued viability of the solution. Wire One provides capacity planning, overflow protection and disaster recovery for Montgomery Public Schools to meet this ongoing management need. Whether we utilize your infrastructure or leverage our fully redundant bridging infrastructure, Wire One can monitor all aspects of the video infrastructure (MCU's, Codecs, Gateways and Gatekeepers) via a complete tool set. This tool set provides proactive remote monitoring of

your video networks so that Wire One can escalate and fix problems before a call begins, provide help desk and break fix services.

The following are features of the Management step in our lifecycle:

- Proactive Device Monitoring
- Help Desk
- Remote Administration
- Break/Fix
- Capacity Planning (overflow, disaster recovery)

Conferencing Services

Wire One provides a complete offering of conferencing services to meet the communication goals of Montgomery Public Schools. Whether you need audio, web, streaming or video conferencing, Wire One has the right solution to meet your specific needs. Whether on a bridge you own or on our bridge, Wire One can schedule and launch video conferences, schedule rooms and provide recording services. Wire One's conferencing services are so flexible that customers can use Wire One's online tools to schedule conferences or have our expert staff to provide "white glove" service.

What makes Wire One unique is our ability to deliver managed services seamlessly and consistently. We are able to do this through our conferencing management and reporting system called Onward. Onward is the repository of all customer transactions, is fully redundant and is used in all of our call centers in North America and Europe. Onward provides detailed information on each of the conferences that are both scheduled and in process. Our personnel are able to see all aspects of the conference from locations and people involved, to the status of specific bridges and conference sites. This level of detail ensures that Montgomery Public Schools conferences will be executed properly and if a problem arises, the help desk personnel will have the detailed information necessary to clear the trouble ticket in a timely manner.

The following are features of the Conferencing Services phase of our conferencing lifecycle:

- Video conferencing
- Streaming Services
- Audio conferencing
- Web conferencing
- Recording Services
- Room Scheduling

Wire One Support

Critical to the successful execution of your conferencing solution is the ongoing support you will need to ensure continuous operation. Important to Wire One is the idea of our own technicians responding to your service calls and not an outside company. This ensures that those people that Montgomery Public Schools reaches will be fully knowledgeable and completely certified on our products and services. And this is true for both Help Desk personnel and our field service technicians. Our global team is there to meet your needs wherever you are, whenever you need us whether it is face-to-face or remotely. To meet the range of service requirements our staff holds expertise in the following:

- **Video conferencing Systems** – 17 Certified Video conferencing Engineers (CVEs); over 40 technicians with multi-vendor certifications
- **Equipment** – 100% of Wire One staff are Polycom and TANDBERG Platinum certified, with competencies in Codian, RADVISION, Sony, STARBAK, VCON, VTEL, Initia, Adtran, ClearOne and other equipment. Wire One is Polycom Certified Service Provider (CSP).
- **Networking** – Certifications in A+, Net+, MCSE and CCNA, CCDP, CCNP and CCDA
- **Experience** – 50 resource Help Desk and Field Services Staff with an average of 7 years experience in videoconferencing. Our Tier 2 and Tier 3 Support Personnel have over 60 years of combined industry experience.
- **Testing Partner** – Manufacturers such as Cisco, Polycom, RADVISION and TANDBERG recognize Wire One's video and network expertise. Wire One is an alpha and/or beta testing partner for endpoints, MCUs, software, etc.
- **Training** – Wire One commits a substantial investment to maintain our service certifications and continue to invest in product and technology training.

Every customer solution is unique and, as such, the nature of individual service calls will vary. Wire One has steps in place to ensure your needs are met, even in the most demanding of circumstances through the following:

- **Multi-level support** – From basic system use to troubleshooting network issues, our team has expertise in a variety of environments and technical areas.
- **Customer service database** – Unique to Wire One, we log all customer equipment and related maintenance data into our database, along with special servicing considerations, notes and drawings. This way, when you contact our Help Desk, the technician has all the information critical to your system right on screen.
- **Automated trouble ticket escalation** – Our online service system automatically informs senior service management if specified parameters are not met.

Your Wire One Partnership

Your conferencing needs are unique and, as such, you need a solution provider that understands this. Wire One will work with Montgomery Public Schools to understand your conferencing needs and then recommend a solution that will best meet those needs. From planning and installation to scheduling and ongoing support, Wire One will partner with you to ensure that your conferencing solution will meet and exceed your expectations

K-12 References in AL/MS

- 1.) Shelby County School System
Susan Poling- spoling@shelbyed.k12.al.us
205-682-5622
410 East College Street
Columbiana, AL 35051
Customer has 12-Tandberg 990 MXP Systems with maintenance from Wire One.
- 2.) Jackson County School System
Carol Rudolph-crudolph@jcsd.k12.ms.us
Jackson County School District
Technology Director
PH: (228) 826-1757, ext. 318
Customer has 27-Tandberg 880 MXP and Systems installed by Wire One with maintenance from Wire One.
- 3.) Clarksdale Municipal School District
James Miller-jmiller@cmsd.k12.ms.us
(662) 627-8500 ext. 1029
101 MCGUIRE ROAD
CLARKSDALE, MS
Customer has 22-Tandberg 880 Systems and 4-Tandberg Educator Systems installed by Wire One with maintenance from Wire One.
- 4.) Scott County Schools
Patricia Thrash, IC3-pthrash@scott.k12.ms.us
Educational Technology Director
601-469-4413 (phone)
Forest, MS
pthrash@scott.k12.ms.us
Customer has 4-Tandberg Educator Systems installed by Wire one with maintenance from Wire One.
- 5.) Mississippi Department of Education
Patricia Dalton- pdalton@scott.k12.ms.us
State E-Rate Coordinator
359 North West Street, Suite 152
Jackson, MS 39201
601-359-3510
Customer has 4-Tandberg 880 Systems, customer room with Educator system, Tandberg Border Controller installed by Wire One & maintenance with Wire One.

MONTGOMERY PUBLIC SCHOOLS
City and County
Montgomery, Alabama

January 18, 2006

FCC Appeal
Attachment 2-10

INVITATION TO BID NO. #01-06
(REVISED)

Sealed bids will be received by the Montgomery Public Schools, 307 South Decatur Street, Montgomery, Alabama 36102-1991, until 9:00 A.M. February 15, 2006 and then publicly opened and read for WAN-INTERNET.

GENERAL SPECIFICATIONS AND CONSIDERATIONS

1. All bids are to be sealed. Envelopes containing bids should be marked on the outside "Bid # 01-06, TO BE OPENED 9:00 A.M., February 15, 2006." An envelope is enclosed for your convenience. Bidders mailing bids should address bids to: Montgomery Public Schools, P.O. Box 1991, Montgomery, Alabama 36102-1991. Bids that are not properly identified will not be considered.
2. Bids will be opened in the Purchasing Department, Montgomery Public Schools Administration Building, 307 S. Decatur St., Room 104, Montgomery, Alabama. Bids may be hand carried or mailed; however, it is the responsibility of bidders to assure that bids are received not later than 9:00 A.M., February 15, 2006. Bids received after this time will not be considered.
3. Each bid must be submitted on the proposal forms furnished by the Montgomery Public Schools at Montgomery, Alabama. Bids submitted in any other manner will not be accepted.
4. When a local (resident) vendor, who has a place of business located within Montgomery County, submits a bid that is no more than 3% greater than the bid of the lowest responsible non-resident bidder, the right is reserved to award the bid to the local vendor.
5. All bids received shall guarantee items bid to meet or exceed the specifications listed.
6. Reference to manufacturers or suppliers is intended to set quality standards and does not exclude bids from others as long as quality standards are met. It is the Owner's intent not to accept a lesser quality than is set forth in these specifications.
7. The right is reserved by Montgomery Public Schools to extend the period of this bid up to three (3) additional years beyond the one year contractual period, provided the vendor can continue to supply the bid items at the ORIGINAL bid price. This will be done only if the Montgomery Public Schools and the vendor agree to the extension.

[Back](#)

A rectangular stamp with a black border. Inside, the text "FCC Appeal" is on the first line, "Attachment" is on the second line, and "2-11" is on the third line. The stamp is placed over a dark, textured background.

Schools and Libraries News Brief

October 17, 2008

TIP OF THE WEEK: If you are filing an invoice (BEAR Form 472 or SPI Form 474) on paper, be sure all pages of the form are dated April 2007. Better yet, file online. Filing on an earlier version of the form will delay processing and may result in the need to request an invoice deadline extension.

Commitments for Funding Years 2008 and 2007

Funding Year 2008. USAC will release FY2008 Wave 28 Funding Commitment Decision Letters (FCDLs) October 21. This wave will include commitments for approved Internal Connections and Basic Maintenance requests at 90% and denials at 79% and below. As of October 17, FY2008 commitments total just under \$1.5 billion.

Funding Year 2007. USAC will release FY2007 Wave 69 FCDLs October 23. This wave will include commitments for approved Internal Connections and Basic Maintenance requests at 81% and above and denials at 80% and below. As of October 17, FY2007 commitments total just under \$2.5 billion.

On the day the FCDLs are mailed, you can check to see if you have a commitment by using USAC's [Automated Search of Commitments](#) tool.

Application Process: Form 470

On April 12, 2008, USAC opened online filing for the Funding Year 2009 (FY2009) [Form 470, Description of Services Requested and Certification Form](#). This is the first program form that applicants file to request discounts under the E-rate program.

By posting a Form 470 on the USAC website, applicants are opening a competitive bidding process. Applicants describe the services they are requesting on the Form 470, and service providers can [search Forms 470](#) or [download summary reports of Forms 470](#) in order to review and respond to applicant requests.

You must file a Form 470 for FY2009 if you:

- Are seeking non-contracted tariffed or month-to-month services
- Intend to sign a new contract
- Signed a multi-year contract or a contract with voluntary extensions without first posting a Form 470 and following all of the competitive bidding rules of the program
- Filed a Form 470 that resulted in a multi-year contract or a contract with voluntary

extensions but did not indicate your interest in such a contract in Item 7b of that establishing Form 470

Your Form 470 **MUST:**

- Be based on your technology plan
- Be detailed enough for potential bidders to understand your requirements and any reasons for disqualification
- Be posted for the correct categories of service (Telecommunications Services, Internet Access, Internal Connections, and Basic Maintenance of Internal Connections) for the services you are requesting
- Indicate whether you have issued or will issue a Request for Proposals (RFP) and, if so, where it is or will be available to potential bidders (see below)
- Encompass all entities that will receive services – including non-instructional facilities (NIFs)
- Be **posted** on the USAC website for at least 28 days before you select a service provider; sign a contract; and sign, date, and submit your Form 471
- Be **certified** before USAC completes the review of any funding requests based on that Form 470

Your Form 470 **MUST NOT:**

- Be completed or signed by a service provider or feature a service provider as the contact person in Items 6 or 12
- Be an encyclopedic list of services

Issuing an RFP

You can prepare and issue an RFP in addition to your Form 470, but RFPs are not required under program rules. An RFP describes the project you want to undertake in sufficient detail to inform potential bidders of the scope, location, and any other requirements for the project. You must also clearly indicate any reasons that bidders could be disqualified (in the Form 470 and/or the RFP) and provide information on any other requirements imposed by state or local procurement rules and regulations.

If you issue an RFP, the RFP must remain open for at least 28 days in order to meet the 28-day competitive bidding requirement. This means that if you issue your RFP after you post your Form 470, you must start counting 28 days on the day the RFP was issued, not the date you posted your Form 470.

Whether you post your Form 470 first or issue your RFP first they must both be available during the final 28-days of the competitive bid. If you issued your RFP October 25 and your Form 470 November 1 they must BOTH have been available from November 1 to November 29 to meet the 28-day requirement.

28-day posting requirement

As noted above, your Form 470 must be posted on the USAC website for 28 days before you choose a service provider, sign a contract, and submit your Form 471. If you file your Form 470 on paper, USAC must completely data enter your form before it can be posted. If you have errors or inconsistencies on your paper Form 470, USAC must contact you to receive the correct information before your Form 470 can be posted to the USAC website. Your 28-day clock does not start until that posting occurs.

The last possible day to **post** a Form 470 to the USAC website is 28 days before the Form 471 application filing window closes. (The window opening and closing dates for FY2009 have not

yet been determined.) If you wait until the last minute, you should file online instead of on paper. We will make every effort to data enter and post a paper Form 470 if we receive it in a timely manner but we cannot guarantee how long the posting process will take for a paper form.

If you wait until the last possible day to post your Form 470, you will have to complete your competitive bidding process, select your service provider, sign a contract (if applicable), and sign and submit your Form 471 all on the last day of the filing window. If you know now the services you want to request – or even if you only know some of them – we suggest that you post a Form 470 now for the services you know and post another Form 470 later for any other services.

We recommend that you take advantage of online filing, as it speeds processing, reduces errors, and provides immediate verification that your form was posted successfully.

Posting a new Form 470 for multi-year or voluntary extension contracts

In general, you must indicate on a Form 470 if you intend to enter into a multi-year contract or a contract featuring voluntary extensions. If you neglected to do so for an existing contract – or if you signed a contract without first posting a Form 470 – you will have to post a new Form 470 for FY2009.

You must consider the bids you receive under the new Form 470 but you can also consider your existing contract as one of your bids. The price of the eligible products and services must be the primary factor in your evaluation. However, you can consider other factors in your evaluation, such as the cost of terminating your existing contract. Just remember that none of the other factors in your bid evaluation can be weighted more heavily than price.

Correcting a Form 470

Applicants have the opportunity to make certain limited corrections to information provided on the Form 470 using the Form 470 Receipt Notification Letter correction process. For example:

- Contact information for the entity listed in Block 1
- Technical contact information listed in Item 12
- Number of entities in Item 16c, as long as the correction is due to a clerical error and is not a significant departure from the scope of the original request

In general, most Form 470 corrections can only be made by canceling the first FY2009 Form 470 and filing a new one. This is a good reason to file your Form 470 early, so that you have a chance to refile your form if necessary.

Here are some examples of corrections that you will have to make by filing a new form:

- Indicating on the Form 470 that you do not and will not have an RFP but then issuing one
- Forgetting to post for a category of service
- Posting for the wrong category of service (see below)
- Neglecting to mention on either the Form 470 or RFP the reasons that service providers or their bids could be disqualified

Posting for the wrong category of service

USAC denies Form 471 funding requests if the category of service on the funding request does not match the category of service posted on the Form 470. In some cases, the category of

service on the Form 471 may be changed from what the applicant originally posted. Applicants should post for all **applicable** categories of service to avoid posting a new Form 470 or being denied funding.

- A service that can appear in more than one category should be posted in both. For example, Interconnected Voice over Internet Protocol (VoIP) should be posted in both Item 8 (Telecommunications Services) and Item 9 (Internet Access) on a Form 470.
- A service that could be moved from one category of service to another should be posted in both. For example, during its review of an application, USAC may move a request for On-premise Priority 1 equipment from Telecommunications Services or Internet Access to Internal Connections because the service does not meet all applicable program requirements. If USAC moves the service to Internal Connections and the applicant did not post for the service in Item 10 (Internal Connections) on the Form 470, USAC will deny the request.

For more information on the Form 470, refer to the [Form 470 guidance](#) on the USAC website and the [Form 470 Instructions](#).

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Step 3: Run an Open and Fair Competitive Bidding Process

Form 470 Information

Applicants must ensure an open and fair competitive bidding process to receive Schools and Libraries support.

The competitive bidding process begins when the *Description of Services Requested and Certification Form* (Form 470) is posted to USAC's website. In Form 470, the applicant describes the types of products and services desired and for which bids are accepted. The applicant must conduct a fair and open competitive procurement in which a service provider is selected and products and/or services are ordered and reported on the *Services Ordered and Certification Form* (Form 471).

The applicant must be ready to accept bids once the Form 470 is posted on the USAC website. The applicant also must take an affirmative role in evaluating such bids. Applicants may not delegate the evaluation role to anyone associated with a service provider.

Request for Proposals. A Request for Proposals (RFP) is not required, but it is a good idea to have one. An RFP describes the project undertaken, with sufficient details to inform potential bidders of the scope, location, and any other requirements for the project. If an RFP exists, the applicant must indicate on Form 470 where the RFP is available, whether on a website or from a contact person. If state or local procurement regulations impose additional requirements, such as eligibility requirements for bidders, these requirements must also be noted on Form 470.

Competitive Bidding. The goal of competitive bidding is to have as many bidders as possible respond to a Form 470, RFP, or other solicitation method so that the applicant can receive better service and lower prices.

The competitive bidding process must be fair and open. "Fair" means that all bidders are treated the same and that no bidder has advance knowledge of the project information. "Open" means there are no secrets in the process – such as information shared with one bidder but not with others – and that all bidders know what is required of them. The Form 470, RFP, or other solicitation method should be clear about the products, services, and quantities the applicant is seeking and must be based directly on the applicant's technology plan. In addition, the applicant must avoid using generic or encyclopedic service descriptions on their Form 470, RFP, or other solicitation method. Using a generic RFP or Form 470 does not comply with Federal Communications Commission (FCC) competitive bidding requirements. Also, using an encyclopedic RFP or Form 470 does not comply with FCC competitive bidding requirements. Such generic or encyclopedic requests will inhibit service providers from composing a responsive bid without additional information or insight into the applicant's bid solicitation.

- Examples of a generic Form 470 or service description may include "all eligible services," "any E-Rate products," or "all telecom services".
- Examples of an "encyclopedic" service description are replications of the entire Eligible Services List or a "grocery" list of services that does not cover a specific service or product.

In order to be sure that a fair and open competition is achieved, any marketing discussions held with service providers must be neutral, so as not to taint the competitive bidding process. That is, the applicant should not have a relationship with a service provider prior to the competitive bidding that would unfairly influence the outcome of a competition or would furnish the service provider with "inside" information or allow it to unfairly compete in any way. For example, a conflict of interest exists when the applicant's consultant is associated with a service provider that is selected and is involved in determining the services sought by the applicant and the selection of the applicant's service provider(s).

Step 2 Develop a Technology Plan

Step 4 Select a Service Provider Process

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Step 4: Contract Guidance

Applicants and service providers must meet all Federal Communications Commission (FCC) and state contract requirements.

CONTRACTS

In general, a contract is a binding agreement, enforceable by law, between two or more parties that creates an obligation to do, or not do, something. Contract definitions and requirements are contained in each state's or territory's contract law.

Except for services to be delivered under non-contracted tariffed or month-to-month arrangements, FCC rules require that an applicant sign a contract with the service provider before signing and submitting a completed *Services Ordered and Certification Form* (Form 471). Applicants must be able to demonstrate that they had a signed and dated contract in place at the time they submitted a completed Form 471. Applicants must also comply with state and/or local contract law. Obtaining the service provider signature and date is not a program requirement, but state and/or local contract law may include this or other compliance requirements.

Acceptable standards for applicant signature and dated contract examples:

- Applicant handwritten signature and signature date,
- Date contract awarded may be contained in the body of the contract, or
- Date contract awarded may be in the opening statements of the contract

When state and/or local contract law does not require the applicant to sign and date the contract, the applicant will be given the opportunity to complete a certification statement. The certification statement affirms that the applicant is compliant with their state and/or local contract law.

Verbal agreements and quotes do not meet FCC requirements. Generally purchase orders do not meet USAC contract guidelines. We recommend that if applicants intend to use a purchase order as their contract they check their state and/or local contract laws to ensure that purchase orders meet state and/or local contract requirements.

Establishing Forms 470

The establishing *Description of Services Requested and Certification Form* (Form 470) is the form that serves as the basis for the competitive bidding process. For a multi-year contract, the establishing Form 470 for that contract could have been posted in a previous funding year.

Qualified existing contracts

A qualified existing contract is:

- A signed, written contract executed pursuant to the posting of a Form 470 in a previous funding year.
- A contract signed on or before July 10, 1997 and reported on a Form 470 in a previous year as an existing contract.

Tariffed services provided under a contract

A tariffed service provided under contract is a service offered under one or more tariffs and for which a contract has been signed. In all cases, funding requests for which a contract has been signed should be reported as contracted services. Form 471 Block 5 should include the Contract Number in Item 15 (not a "T"), the Contract Award Date in Item 18, and the Contract Expiration Date in Item 20.

STATE MASTER CONTRACTS

A state master contract is a contract that is competitively bid and put in place by a state government entity for use by others.

Filing the Form 470

If the state files a Form 470, then the applicant may cite the state's Form 470 on its Form 471. The state must follow a competitive bidding process pursuant to FCC requirements and state procurement law.

The applicant is required to follow the applicable provisions of the state master contract and state and local procurement laws. No separate bidding documents or contracts are required by the applicant citing the state's Form 470, other than what is required by the state master contract and state and local procurement laws. The signed state master contract between the state and the service provider meets the FCC signed contract requirement.

If the applicant files a Form 470 and considers a state master contract as one of the bids, the applicant must follow a competitive bidding process pursuant to FCC requirements and state and local procurement law. Price must be the primary factor - that is, it must be weighted more heavily than any other factor.

If the applicant selects the state master contract as the most cost-effective alternative, the applicant is required to follow the applicable provisions of the state master contract, state contract law, and state and local procurement laws. The signed state master contract between the state and the service provider meets the FCC signed contract requirement.

Reporting the Contract Award Date for state master contracts

The Contract Award Date shall not be earlier than the 29th day after the posting of the Form 470. If an applicant files its own Form 470 and chooses either a new or a pre-existing state master contract as the most cost effective bid, the applicant should record its decision to purchase off the state master contract after the bidding process is complete and to record the date of this memorialization as the Contract Award Date on the Form 471.

Purchase orders or other state master contract requirements for applicants

If the state master contract requires the issuance of purchase orders or contains other requirements for applicants, the applicants must meet those requirements. For example, if the state master contract requires the applicant to issue a purchase order by July 1, then the applicant is required to meet that deadline.

MULTI-YEAR CONTRACTS AND CONTRACTS INCLUDING VOLUNTARY EXTENSIONS

A multi-year contract means a contract that covers more than one year. For example, a three-year contract would expire at the end of the third year. A contract including voluntary extensions means that the contract expires at the end of its original term and may be voluntarily extended for one or more years pursuant to the provisions in the contract.

To comply with FCC competitive bidding requirements, the applicant must indicate in its Request for Proposals (RFP) and Item 7 on the Form 470 its intent to enter into a multi-year contract for services or a contract that includes voluntary extensions. The applicant must also indicate the type of services for which it is seeking a multi-year contract.

When voluntary extensions are indicated in Item 13 of Form 470 and in the RFP, if an RFP was used, the applicant does not have to post a new Form 470. In the event the Form 470 does not indicate voluntary extensions, the contract cannot extend the contract beyond its original expiration date without posting a new Form 470.

FCC rules grant a limited extension of the competitive bidding rules for contracts for non-recurring services. "[C]ontracts for nonrecurring services may be voluntarily extended to coincide with the appropriate deadline for the implementation [of delivery and installation for nonrecurring services]. Parties may not, however, extend other contractual provisions beyond the dates established by the Commission's rules without complying with the competitive bidding process." (FCC 01-195, released June 29, 2001). If an applicant is granted an extension of time for delivery and installation of non-recurring services, the applicant may extend the relevant contract without rebidding. Applicants should file a Form 500 to notify USAC of such contract extensions.

Multi-year contracts for newly-eligible services or entities

If the original Form 470 or RFP did not include the newly-eligible services or entities, the applicant will be required to post a new Form 470 for those services.

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470 Application Number: 387610000596350 Retrieved from SLD Current status of form: CERTIFIED
site: 11/17/2006 11:20:38 PM CST

FCC Form

Approval by OMB
3060-0806**470**

Schools and Libraries Universal Service
Description of Services Requested
and Certification Form

Estimated Average Burden Hours Per Response 4.0 hours

This form is designed to help you describe the eligible telecommunications-related services you seek so that this data can be posted on the Fund Administrator website and interested service providers can identify you as a potential customer and compete to serve you.

Please read instructions before beginning this application.

(To be completed by entity that will negotiate with providers.)

Block 1: Applicant Address and Identifications

Form 470 Application Number: 387610000596350

Applicant's Form Identifier: ALJP2007

Application Status: COMPLETE

Posting Date: 11/17/2006

Allowable Contract Date: 12/15/2006

Certification Received Date:

1. Name of Applicant:

ALABAMA STATE DEPT OF EDUC

2. Funding Year:

07/01/2007 - 06/30/2008

3. Your Entity Number

128090

4a. Applicant's Street Address, P.O.Box, or Route Number

60 N RIPLEY ST

City

MONTGOMERY

State

AL

Zip Code

36104

b. Telephone number

(334) 242- 9700

c. Fax number

(334) 242- 9708

5. Type Of Applicant

- ☒ Individual School (individual public or non-public school)
- ☐ School District (LEA; public or non-public [e.g., diocesan] local district representing multiple schools)
- ☐ Library (including library system, library outlet/branch or library consortium as defined under LSTA)
- ☐ Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries)

6a. Contact Person's Name: Jerome Browning

First, if the Contact Person's Street Address is the same as in Item 4 above, check this box. If not, please complete the entries for the Street Address below.